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MEMORANDUM

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BOSTON REDEVELOPMENT AUTHORITY
OFFICE OF THE DIRECTOR

TO: Boston Redevelopment Authority

FROM John C. Conley, General Counsel

DATE: February 5, 1974

SUBJECT: Downtown-Waterfront Faneuil Hall Urban Renewal Area
Project Mass. R-77
Tentative Designation of the United City, County and State Employees Union Local No. 285 as Redeveloper of Commercial Block Building - Parcel C-2-C

The HUD Urban Renewal Handbook lists the following persons or organizations as ineligible to be a redeveloper or to have any financial interest in a redeveloper:

" (1) A member of the governing body of the Authority or municipality.

(2) An employee of the Authority or municipality who exercises responsibility concerning the project.

(3) An individual or firm that was retained by the Authority as a reuse appraiser of land in the project area, or, at any time after invitation for proposals, was performing consulting services for the Authority in connection with the project.

(4) A private individual or firm that has provided or proposes to provide a local grant-in-aid to the project.

(5) A private individual or firm from whom the same property was acquired. "

Further, the HUD standard Part II for Professional or Technical Services Contracts contains the following:

"The Contractor covenants that he presently has no interest and shall not acquire any interest, direct or indirect, in the above-described project or any parcels therein or any other interest which could conflict in any manner or degree with the performance of his services hereunder. "

In the case of the United City, County and State Employees Union, Local 285, the question arises could there be members of the Union who are employees of the Authority or the City of Boston who exercise responsibility concerning the project? The answer is yes there could be such members but this is not known in fact. The existence of such members raises the question - does such membership in the Union give them any financial interest in the Union as redeveloper? The only financial interest a member of the Union has in the Union is as the Union represents him as the collective-bargaining agent. Thus, a member in a union benefits to the extent that the union is able to gain for him better wages, working conditions and fringe benefits. To such a union the member pays dues. His dividen are in the collective-bargaining process.

In a union representing City, County and State employees, the members that might be employees of the Authority or municipality who exercise responsibility concerning the project would certainly have to be an exceedingly small fraction of the total membership if in fact they exist at all. The employees of the Authority are not represented by any bargaining unit and as such few if any might belong to said union. It is usual that in such bargaining groups management or key personnel are excluded and not a part of the bargaining group.

Thus, I conclude that the United City, County and State Employees Union Local No. 285 is not ineligible, but is an eligible redeveloper and there is no conflict of interest.

However, I wish to add that as to any possible violation of the State Conflict of Interest Law only the Corporation Counsel can advise as to that.

HUD-6004
(4-68)

PART I
AMENDED
REDEVELOPER'S STATEMENT FOR PUBLIC DISCLOSURE[1]

A. REDEVELOPER AND LAND

1. a. Name of Redeveloper: UNITED CITY, COUNTY AND STATE EMPLOYEES' LOCAL No. 285 DEVELOPMENT FUND, INC.

b. Address of Redeveloper: 151 Tremont Street, Boston, Massachusetts

2. The land on which the Redeveloper proposes to enter into a contract for, or understanding with respect to, the purchase or lease of land from

Boston Redevelopment Authority
(Name of Local Public Agency)

in Downtown Waterfront Faneuil Hall Renewal Project
(Name of Urban Renewal or Redevelopment Project Area)

in the City of Boston, State of Massachusetts, is described as follows[2]

Commerical Block Building, numbered 126 Commercial Street

3. If the Redeveloper is not an individual doing business under his own name, the Redeveloper has the status indicated below and is organized or operating under the laws of Massachusetts:

☐ A corporation.

☒ A nonprofit or charitable institution or corporation.

☐ A partnership known as

☐ A business association or a joint venture known as

☐ A Federal, State, or local government or instrumentality thereof.

☐ Other *(explain)*

4. If the Redeveloper is not an individual or a government agency or instrumentality, give date of organization: March 13, 1974

5. Names, addresses, title of position (if any), and nature and extent of the interest of the officers and principal members, shareholders, and investors of the Redeveloper, other than a government agency or instrumentality, are set forth as follows: See copy of Articles of Organization filed herewith.

[1] If space on this form is inadequate for any requested information, it should be furnished on an attached page which is referred to under the appropriate numbered item on the form.

[2] Any convenient means of identifying the land (such as block and lot numbers or street boundaries) is sufficient. A description by metes and bounds or other technical description is acceptable, but not required.

a. If the Redeveloper is a corporation, the officers, directors or trustees, and each stockholder owning more than 10% of any class of stock[1].

b. If the Redeveloper is a nonprofit or charitable institution or corporation, the members who constitute the board of trustees or board of directors or similar governing body.

c. If the Redeveloper is a partnership, each partner, whether a general or limited partner, and either the percent of interest or a description of the character and extent of interest.

d. If the Redeveloper is a business association or a joint venture, each participant and either the percent of interest or a description of the character and extent of interest.

e. If the Redeveloper is some other entity, the officers, the members of the governing body, and each person having an interest of more than 10%.

NAME, ADDRESS, AND ZIP CODE	POSITION TITLE *(if any)* AND PERCENT OF INTEREST OR DESCRIPTION OF CHARACTER AND EXTENT OF INTEREST
Thomas J. Kennedy 85 East India Row Boston, Massachusetts	President
Matthew L. McGrath 39 Richwood Street W. Roxbury, Massachusetts	Treasurer and Clerk

6. Name, address, and nature and extent of interest of each person or entity *(not named in response to Item 5)* who has a beneficial interest in any of the shareholders or investors named in response to Item 5 which gives such person or entity more than a computed 10% interest in the Redeveloper *(for example, more than 20% of the stock in a corporation which holds 50% of the stock of the Redeveloper; or more than 50% of the stock in a corporation which holds 20% of the stock of the Redeveloper)*:

NAME, ADDRESS, AND ZIP CODE	DESCRIPTION OF CHARACTER AND EXTENT OF INTEREST
None	

7. Names *(if not given above)* of officers and directors or trustees of any corporation or firm listed under Item 5 or Item 6 above:

B. RESIDENTIAL REDEVELOPMENT OR REHABILITATION

(The Redeveloper is to furnish the following information, but *only* if land is to be redeveloped or rehabilitated in whole or in part for *residential* purposes.)

[1] If a corporation is required to file periodic reports with the Federal Securities and Exchange Commission under Section 13 of the Securities Exchange Act of 1934, so state under this Item 5. In such case, the information referred to in this Item 5 and in Items 6 and 7 is not required to be furnished.

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1. State the Redeveloper's estimates, exclusive of payment for the land, for:

a. Total cost of any residential redevelopment	$	0
b. Cost per dwelling unit of any residential redevelopment	$	0
c. Total cost of any residential rehabilitation	$	950,000.00
d. Cost per dwelling unit of any residential rehabilitation	$	18,000.00

2. a. State the Redeveloper's estimate of the average monthly rental *(if to be rented)* or average sale price *(if to be sold)* for each type and size of dwelling unit involved in such redevelopment or rehabilitation:

TYPE AND SIZE OF DWELLING UNIT	ESTIMATED AVERAGE MONTHLY RENTAL $	ESTIMATED AVERAGE SALE PRICE $
5 efficiency units	185 - 195	Not
22 1 Bedroom units	195 - 240	Applicable
9 2 Bedroom units	280 - 365	
1 3 Bedroom units	400 -	
Plus Commercial	-	

b. State the utilities and parking facilities, if any, included in the foregoing estimates of rentals;
All utilities except telephones are included in the monthly rentals. Parking facilities not provided.

c. State equipment, such as refrigerators, washing machines, air conditioners, if any, included in the foregoing estimates of sales prices: Not applicable

CERTIFICATION

I (We)[1] UNITED CITY, COUNTY AND STATE EMPLOYEES' LOCAL No. 285 DEVELOPMENT FUND, INC. certify that this Redeveloper's Statement for Public Disclosure is true and correct to the best of my (our) knowledge and belief.[2]

Dated: April 11, 1974

Matthew L. McGrath
Signature

Treasurer and Clerk
Title

151 Tremont St., Boston, Mass.
Address and ZIP Code

Dated: _____

_____
Signature

_____
Title

_____
Address and ZIP Code

[1] If the Redeveloper is an individual, this statement should be signed by such individual; if a partnership, by one of the partners; if a corporation or other entity, by one of its chief officers having knowledge of the facts required by this statement.

[2] Penalty for False Certification: Section 1001, Title 18, of the U.S. Code, provides a fine of not more than $10,000 or imprisonment of not more than five years, or both, for knowingly and willfully making or using any false writing or document, knowing the same to contain any false, fictitious or fraudulent statement or entry in a matter within the jurisdiction of any Department of the United States.

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PART II

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(4-68)

REDEVELOPER'S STATEMENT OF QUALIFICATIONS AND FINANCIAL RESPONSIBILITY

(For Confidential Official Use of the Local Public Agency and the Department of Housing and Urban Development. Do Not Transmit to HUD Unless Requested or Item 8b is Answered "Yes.")

1. a. Name of Redeveloper: UNITED CITY, COUNTY AND STATE EMPLOYEES' LOCAL No. 285 DEVELOPMENT FUND, INC.

   b. Address and ZIP Code of Redeveloper: 151 Tremont Street, Boston, Massachusetts

2. The land on which the Redeveloper proposes to enter into a contract for, or understanding with respect to, the purchase or lease of land from

   Boston Redevelopment Authority
   (Name of Local Public Agency)

   in Downtown Waterfront Faneuil Hall Renewal Project
   (Name of Urban Renewal or Redevelopment Project Area)

   in the City of Boston; State of Massachusetts, is described as follows:

   Commerical Block Building, numbered 126 Commercial Street

3. Is the Redeveloper a subsidiary of or affiliated with any other corporation or corporations or any other firm or firms? ☐ YES ☒ NO
   If Yes, list each such corporation or firm by name and address, specify its relationship to the Redeveloper, and identify the officers and directors or trustees common to the Redeveloper and such other corporation or firm.

4. a. The financial condition of the Redeveloper, as of formed March 13, , 1974, is as reflected in the ~~attached~~ financial statements to be filed.
   (NOTE: Attach to this statement a certified financial statement showing the assets and the liabilities, *including contingent liabilities*, fully itemized in accordance with accepted accounting standards and based on a proper audit. If the date of the certified financial statement precedes the date of this submission by more than six months, also attach an interim balance sheet not more than 60 days old.)

   b. Name and address of auditor or public accountant who performed the audit on which said financial statement is based:
   Will be Lloyd Erickson, C.P.A.

5. If funds for the development of the land are to be obtained from sources other than the Redeveloper's own funds, a statement of the Redeveloper's plan for financing the acquisition and development of the land:

   The Redeveloper intends to obtain at least 80% of the funds required for the rehabilitation of the Commercial Block Building from a commercial bank. Loans will be made from United City, County and State Employees' Local No. 285 for seed money. See financial statement of "Local No. 285" attached to initial Redeveloper's Statement.

6. Sources and amount of cash available to Redeveloper to meet equity requirements of the proposed undertaking:

a. In banks:

NAME, ADDRESS, AND ZIP CODE OF BANK	AMOUNT
	$

Charlestown Savings Bank has indicated an interest in financing this project.

b. By loans from affiliated or associated corporations or firms:

NAME, ADDRESS, AND ZIP CODE OF SOURCE	AMOUNT
	$

c. By sale of readily salable assets:

DESCRIPTION	MARKET VALUE	MORTGAGES OR LIENS
	$	$

7. Names and addresses of bank references:

New England Merchants National Bank
28 State Street
Boston, Massachusetts 02109

8. a. Has the Redeveloper or *(if any)* the parent corporation, or any subsidiary or affiliated corporation of the Redeveloper or said parent corporation, or any of the Redeveloper's officers or principal members, shareholders or investors, or other interested parties (as listed in the responses to Items 5,6, and 7 of the *Redeveloper's Statement for Public Disclosure* and referred to herein as "principals of the Redeveloper") been adjudged bankrupt, either voluntary or involuntary, within the past 10 years? ☐ YES ☒ NO

If Yes, give date, place, and under what name.

b. Has the Redeveloper or anyone referred to above as "principals of the Redeveloper" been indicted for or convicted of any felony within the past 10 years? ☐ YES ☒ NO

If Yes, give for each case (1) date, (2) charge, (3) place, (4) Court, and (5) action taken. Attach any explanation deemed necessary.

9. a. Undertakings, comparable to the proposed redevelopment work, which have been completed by the Redeveloper or any of the principals of the Redeveloper, including identification and brief description of each project and date of completion:

None

b. If the Redeveloper or any of the principals of the Redeveloper has ever been an employee, in a supervisory capacity, for construction contractor or builder on undertakings comparable to the proposed redevelopment work, name of such employee, name and address of employer, title of position, and brief description of work:

Not Applicable

10. Other federally aided urban renewal projects under Title I of the Housing Act of 1949, as amended, in which the Redeveloper or any of the principals of the Redeveloper is or has been the redeveloper, or a stockholder, officer, director or trustee, or partner of such a redeveloper:

None

11. If the Redeveloper or a parent corporation, a subsidiary, an affiliate, or a principal of the Redeveloper is to participate in the development of the land as a construction contractor or builder:

a. Name and address of such contractor or builder:

Not Applicable

b. Has such contractor or builder within the last 10 years ever failed to qualify as a responsible bidder, refused to enter into a contract after an award has been made, or failed to complete a construction or development contract? ☐ YES ☐ NO

If Yes, explain:

Not Applicable

c. Total amount of construction or development work performed by such contractor or builder during the last three years: $ Not Applicable

General description of such work:

Not Applicable

d. Construction contracts or developments now being performed by such contractor or builder:

IDENTIFICATION OF CONTRACT OR DEVELOPMENT	LOCATION	AMOUNT	DATE TO BE COMPLETED
		$	

Not Applicable

e. Outstanding construction-contract bids of such contractor or builder:

AWARDING AGENCY	AMOUNT $	DATE OPENED

Not Applicable

12. Brief statement respecting equipment, experience, financial capacity, and other resources available to such contractor or builder for the performance of the work involved in the redevelopment of the land, specifying particularly the qualifications of the personnel, the nature of the equipment, and the general experience of the contractor:

Not Applicable

13. a. Does any member of the governing body of the Local Public Agency to which the accompanying bid or proposal is being made or any officer or employee of the Local Public Agency who exercises any functions or responsibilities in connection with the carrying out of the project under which the land covered by the Redeveloper's proposal is being made available, have any direct or indirect personal interest in the Redeveloper or in the redevelopment or rehabilitation of the property upon the basis of such proposal? ☐ YES ☒ NO

If Yes, explain.

b. Does any member of the governing body of the locality in which the Urban Renewal Area is situated or any other public official of the locality, who exercises any functions or responsibilities in the review or approval of the carrying out of the project under which the land covered by the Redeveloper's proposal is being made available, have any direct or indirect personal interest in the Redeveloper or in the redevelopment or rehabilitation of the property upon the basis of such proposal? ☐ YES ☒ NO

If Yes, explain.

14. Statements and other evidence of the Redeveloper's qualifications and financial responsibility *(other than the financial statement referred to in Item 4a)* are attached hereto and hereby made a part hereof as follows:

CERTIFICATION

I (We)[1] UNITED CITY, COUNTY AND STATE EMPLOYEES' LOCAL No. 285 DEVELOPME~~FUND, INC.~~,
certify that this Redeveloper's Statement of Qualifications and Financial Responsibility and the attached evidence of the Redeveloper's qualifications and financial responsibility, including financial statements, are true and correc to the best of my (our) knowledge and belief.[2]

Dated: April 11, 1974

Matthew L. McGrath
Signature

Treasurer and Clerk
Title

151 Tremont St., Boston, Mass.
Address and ZIP Code

Dated: _____

_____
Signature

_____
Title

_____
Address and ZIP Code

[1] If the Redeveloper is a corporation, this statement should be signed by the President and Secretary of the corporation; if an individual, by such individual; if a partnership, by one of the partners; if an entity not having a president and secretary, by one of its chief officers having knowledge of the financial status and qualifications of the Redeveloper..

[2] Penalty for False Certification: Section 1001, Title 18, of the U.S. Code, provides a fine of not more than $10,000 or imprisonment of not more than five years, or both, for knowingly and willfully making or using any false writing or document, knowing the same to contain any false, fictitious or fraudulent statement or entry in a matter within the jurisdiction of any Department of the United States.

* U.S. GOVERNMENT PRINTING OFFICE : 1968 O—310-410

The Commonwealth of Massachusetts

Be it Known *That whereas*

Thomas J. Kennedy, Matthew L. McGrath

have associated themselves with the intention of forming a corporation under the name of

United City, County and State Employees' Local No. 285

Development Fund, Inc.

and have complied with the provisions of the Statutes of the Commonwealth in such case made and provided, as appears from the Articles of Organization of said corporation, duly approved by the State Secretary and recorded in this office:

Now, therefore, I, JOHN F. X. DAVOREN, *Secretary of The Commonwealth of Massachusetts,* **Do Hereby Certify** *that said*

Thomas J. Kennedy, Matthew L. McGrath

their associates and successors are legally organized and established as, and are hereby made an existing corporation as of March 13, 1974 *under the name of*

United City, County and State Employees' Local No. 285

Development Fund, Inc.

with the powers, rights and privileges, and subject to the limitations, duties and restrictions, which by law appertain thereto.

Witness *my official signature hereunto subscribed, and the Great Seal of The Commonwealth of Massachusetts hereunto affixed, this* fourteenth *day of* March *in the year of our Lord one thousand nine hundred and* Seventy-Four.

John F. X. Davoren
Secretary of the Commonwealth

Deputy Secretary

Form C.D. 401. 5M-5-69-949426
maec

The Commonwealth of Massachusetts

JOHN F.X. DAVOREN
Secretary of the Commonwealth
STATE HOUSE
BOSTON, MASS. 02133

ARTICLES OF ORGANIZATION

(Under G.L. Ch. 180)
Incorporators

NAME RESIDENCE
Include given name in full in case of natural persons; in case of a corporation, give state of incorporation.

Thomas J. Kennedy, 85 East India Row, Boston, Massachusetts

Matthew L. McGrath, 39 Richwood Street, West Roxbury, Massachusetts

The above-named incorporator(s) do hereby associate (themselves) with the intention of forming a corporation under the provisions of General Laws, Chapter 180 and hereby state(s):

1. The name by which the corporation shall be known is:

   UNITED CITY, COUNTY AND STATE EMPLOYEES' LOCAL No. 285 DEVELOPMENT FUND, INC.

2. The purposes for which the corporation is formed are as follows:

   To engage in any or all of the purposes set forth in Chapter 180, section 4 of the Massachusetts General Laws, as amended, including, without limiting the generalities of the foregoing, to engage in civic, educational, charitable and benevolent activities such as the providing of retirement benefits and death benefits to members and families of members of United City, County and State Employees' (Local No. 285), the granting and assisting with the granting of scholarships to members and families of members of Local No. 285, the providing of disability and sickness assistance to members and families of members of Local No. 285, as well as the providing of other civic, educational, charitable and benevolent benefits to members and families of members, both past and present and future, of Local No. 285. In order to accomplish the foregoing purposes, the corporation shall have all the powers which are permitted to a corporation organized under Chapter 156B of the Massachusetts General Laws provided that no such power shall be exercised in a manner inconsistent with the provisions of Chapter 180 of the Massachusetts General Laws or any other provision of law, and without limiting the generality of the foregoing, this corporation shall have the foregoing powers.

ARTICLES OF ORGANIZATION (Under G.L. Ch. 180)

2. (continued)

b. To purchase, receive, take by grant, gift, devise, bequest or otherwise, lease, or otherwise acquire, own, hold, improve, employ, use and otherwise deal in and with, real or personal property, or any interest therein wherever situated;

c. To sell, convey, lease, exchange, transfer or otherwise dispose of, or mortgage, pledge, encumber or create a security interest in, all or any of its property, or any interest therein, wherever situated;

d. To purchase, take, receive, subscribe for or otherwise acquire, own, hold, vote, employ, sell, lend, lease, exchange, transfer, or otherwise dispose of, mortgage, pledge, use or otherwise deal in and with, bonds and other obligations, shares, or other securities or interest issued by others, whether engaged in similar or different activities, governmental, or other activities;

e. To make contracts, give guarantees and incur liabilities, borrow money at such rates of interest as the corporation may determine, issue its notes, bonds, and other obligations, and secure any of its obligations by mortgage, pledge, or encumberance of or security interest in, all or any of its property or any interest therein, wherever situated;

f. To lend money, invest and reinvest its funds, and take and hold real and personal property as security for the payment of funds so loaned and invested;

g. To carry on its operations, and have offices and exercise the powers granted by M.G.L. Ch. 180, under any jurisdiction within or without the United States;

h. To be an incorporator of other corporations of any type or kind;

i. To be a partner in any business enterprise which the corporation would have the power to conduct by itself.

3. If the corporation has more than one class of members, the designation of such classes, the manner of election or appointment, the duration of membership and the qualification and rights, including voting rights, of the members of each class, are as follows:—

NONE

4. Other lawful provisions, if any, for the conduct and regulation of the business and affairs of the corporation, for its voluntary dissolution, or for limiting, defining, or regulating the powers of the corporation, or of its directors or members, or of any class of members, are as follows:—

NONE

5. By-laws of the corporation have been duly adopted and the initial directors, president, treasurer and clerk or other presiding, financial or recording officers whose names are set out below, have been duly elected.

6. The effective date of organization of the corporation shall be the date of filing with the Secretary of the Commonwealth ~~(or a later date not more than thirty days after such filing)~~

7. The following information shall not for any purpose be treated as a permanent part of the Articles of Organization of the corporation.

a. The post office address of the initial principal office of the corporation in Massachusetts is:

151 Tremont St Boston, MASS.

b. The name, residence, and post office address of each of the initial directors and following officers of the corporation are as follows:

	NAME	RESIDENCE	POST OFFICE ADDRESS
President:	Thomas J. Kennedy	85 East India Row Boston, Mass.	Same
Treasurer:	Matthew L. McGrath	39 Richwood St., W. Roxbury, Mass.	Same
Clerk:	Matthew L. McGrath	39 Richwood Street W. Roxbury, Mass.	Same

Directors: (or officers having the powers of directors)

Thomas J. Kennedy	85 East India Row Boston, Mass.	Same
Matthew L. McGrath	39 Richwood Street W. Roxbury, Mass.	Same
Margaret Barry	10 Benton Street Stoneham, Mass.	Same

c. The date initially adopted on which the corporation's fiscal year ends is:

December 31st

d. The date initially fixed in the by-laws for the annual meeting of members of the corporation is:

Second Monday in March

e. The name and business address of the resident agent, if any, of the corporation is:

IN WITNESS WHEREOF and under the penalties of perjury the above-named INCORPORATOR(S) sign(s) these Articles of Organization this March 12 day of 1974

Thomas J. Kennedy

Matthew L. McGrath

The signature of each incorporator which is not a natural person must be by an individual who shall show the capacity in which he acts and by signing shall represent under the penalties of perjury that he is duly authorized on its behalf to sign these Articles of Organization.